

THE HON'BLE MR JUSTICE B.PRAKASH RAO

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.2507 of 2005

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20th December 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 14.09.2005 in W.P.NO.20080 OF 2005 on the file of the High Court.)

Between:

1. The APSRTC, rep. by its Regional Manager, Visakhapatnam
Region at Visakhapatnam.

2. The APSRTC, rep. by its Depot Manager, Gajuwaka,
Visakhapatnam District.

...APPELLANTS

AND

T. Kondaji, Gajuwaka Depot,
R/o. Gajuwaka, Visakhapatnam District.

...RESPONDENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.2507 of 2005

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JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides. At their request, the Writ Appeal itself is taken up for disposal at the admission stage.

The appellant/Corporation seeks to assail the order dated 14.09.2005 in W.P.No.20080 of 2005 filed at the instance of the respondent/employee who sought to assail the order of imposing penalty of stoppage of annual increment for a period of one year with cumulative effect. On contest, the learned Single Judge found that in the facts and circumstances, the said punishment is not warranted and modified the same into stoppage of annual increment for a period of one year without cumulative effect.

Having considered the submissions made on either side and on perusal of the material available on record, it is seen that there was no departmental enquiry and hence, the discretion as exercised by the learned Single Judge do not warrant any

interference. As such there are no merits in the appeal.

Accordingly, the Writ Appeal is dismissed. No costs.

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(B.PRAKASH RAO, J)

(DR G.YETHIRAJULU, J)

20th December 2005

RRB

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